

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

2004 JUN -7 AM 11:08  
U.S. DISTRICT COURT  
CLERK'S OFFICE  
IDAHO

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

DUSTIN HOLM, )

Defendant. )

Case No. CR-03-220-E-BLW

**ORDER GRANTING MOTION  
TO CONTINUE TRIAL**

The Court has before it a Motion to Continue Trial filed by Defendant, Dustin Holm. In his Motion, Defendant states that additional investigation is necessary in order to present an effective defense. In addition, Defendant asks for a continuance to allow the Court to resolve the Defendant's pending Motion for change of venue. Defendant therefore requests a continuance of at least 30 days.

Therefore, upon review of the record, the Court finds, pursuant to 18 U.S.C. § 3161(h)(8)(A), (B)(i) and (iv), that the ends of justice outweigh the best interest of the public and the Defendant in conducting a speedy trial. In addition, the Court finds that Defendant's request justifies a delay of approximately one month. Therefore, the Court will reset the trial for July 12, 2004.

**ORDER - 1**

In addition, this case shall be referred to **United States District Judge Lloyd D. George**, for the District of Nevada, for all further proceedings and the entry of judgment. Therefore, all Judge's copies shall be sent to the following:

**Judge Lloyd D. George**  
**Lloyd D. George U.S. Courthouse, Room 6073**  
**333 Las Vegas Blvd., South**  
**Las Vegas, NV 89101**  
**Fax (702) 464-5501**

NOW THEREFORE IT IS HEREBY ORDERED that Defendant's Motion to Continue Trial [Docket No. 12] is GRANTED. Therefore, the current trial setting of June 14, 2004, is hereby VACATED.

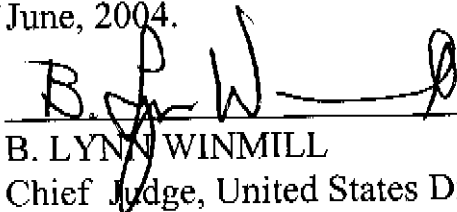
IT IS FURTHER ORDERED that a jury trial shall be reset on July 12, 2004, at 1:30 p.m. in Pocatello, Idaho. A Telephonic pretrial conference shall be conducted on June 30, 2004, at 1:30 p.m. with counsel only, and no defendant shall be present. The Government shall initiate the call, using a conference operator, with opposing counsel on the line to (208) 334-9145.

IT IS FURTHER ORDERED that all pretrial motions must be filed on or before June 14, 2004.

IT IS FURTHER ORDERED that any and all period of delay resulting from the granting of this continuance, from the date of filing of the defendant's motion until the date of the scheduled trial, shall be excludable time pursuant to

18 U.S.C. § 3161(h)(1)(F), (8)(A), (B)(i) and (iv).

DATED this 4<sup>th</sup> day of June, 2004.

  
B. LYNN WINMILL  
Chief Judge, United States District Court

United States District Court  
for the  
District of Idaho  
June 7, 2004

\* \* CLERK'S CERTIFICATE OF MAILING \* \*

Re: 4:03-cr-00220

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Jack B Haycock, Esq. 1-208-478-4175  
US ATTORNEY  
801 E Sherman  
Pocatello, ID 83201

Steven V Richert, Esq. 1-208-478-1255  
FEDERAL DEFENDER'S OFFICE  
801 E Sherman  
Pocatello, ID 83201

U.S. Marshal  
HAND DELIVERED

Probation  
HAND DELIVERED

☒ Chief Judge B. Lynn Winmill  
☐ Judge Edward J. Lodge  
☐ Chief Magistrate Judge Larry M. Boyle  
☐ Magistrate Judge Mikel H. Williams

Visiting Judges:  
☐ Judge David O. Carter  
☐ Judge John C. Coughenour  
☐ Judge Thomas S. Zilly

*Judge George*

Cameron S. Burke, Clerk

Date:

*6-7-04*

BY:

*UM*

(Deputy Clerk)